

4/8/2022

JULIA C. DUDLEY, CLERK

BY: s/ A. Little
DEPUTY CLERK

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION**

KIMBERLY HARTMAN,

Plaintiff,

v.

CENTRA HEALTH, INC., *et al.*,

Defendants.

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Case No. 6:20-cv-00027

ORDER

The court held a telephonic hearing on April 4, 2022 addressing Plaintiff's Motion for More Definite Statement. Dkt. 101. I find that Defendant Centra Health, Inc. ("Centra") timely filed its Second Amended Counterclaims. Dkt. 99. Further, during the hearing Plaintiff withdrew her request for a more definite statement regarding the timing of Centra's investigation as this information was clarified during a deposition. Accordingly, the motion for more definite statement is **GRANTED in part** and **DENIED in part**. Dkt. 101.

The parties are ordered as follows:

1. Centra shall amend Count Five (Fraud) of its Second Amended Counterclaims (Dkt. 99) to provide a more fulsome description of the factual basis of the counterclaims in accordance with Fed.R.Civ.P.9(b) by close of business on April 11, 2022. Centra shall state with particularity the amounts that Centra alleges were fraudulently procured by Plaintiff, the manner the misrepresentations were made, and how Centra relied upon Plaintiff's misrepresentations. Plaintiff's request to strike Count Five of Centra's Second Amended Counterclaims is moot.

2. Plaintiff shall file any responsive pleading to Centra's Third Amended Counterclaim within the time permitted under the Federal Rules of Civil Procedure.

It is so **ORDERED**.

Entered: April 8, 2022

Robert S. Ballou

Robert S. Ballou
United States Magistrate Judge